



JC97 Rec'd PCT/PTO 08 APR 2005

#8

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q82451

Ian David WORTHINGTON

Appln. No.: 10/502,293

Group Art Unit: Not Yet Assigned

Confirmation No.: 9187

Examiner: Not Yet Assigned

Filed: July 22, 2004

For: TRACHEOSTOMA VALVE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by the inventors.

A check for the statutory fee of \$65.00 is attached. Although the Notification requires a statutory fee of \$130.00, an Assertion of Small Entity Status is submitted concurrently. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

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23373

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Date: April 8, 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/502,293 | Ian David Worthington | Q82451 |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/GB03/00248

| LA. FILING DATE | PRIORITY DATE |
|-----------------|---------------|
| 01/22/2003 | 01/23/2002 |

23373
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SUITE 800
WASHINGTON, DC 20037

DOCKETED

FEB 11 2005

CONFIRMATION NO. 9187

371 FORMALITIES LETTER



OC000000015139326

Date Mailed: 02/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/22/2004
- Copy of the International Search Report filed on 07/22/2004
- Copy of IPE Report filed on 07/22/2004
- Preliminary Amendments filed on 07/22/2004
- Information Disclosure Statements filed on 07/22/2004
- Request for Immediate Examination filed on 07/22/2004
- U.S. Basic National Fees filed on 07/22/2004
- Priority Documents filed on 07/22/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

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PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/502,293 | PCT/GB03/00248 | Q82451 |